



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Naicker, et al.  
Serial No. : 10/754,488  
Filed : January 9, 2004  
Title : DEUTERATED RAPAMYCIN COMPOUNDS, METHOD AND USES  
THEREOF

Art Unit : 1624  
Examiner : Bruck Kifle

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(b)

Pursuant to 37 CFR §3.73(b), ISOTECHNIKA INTERNATIONAL INC., a corporation duly organized under and pursuant to the laws of Barbados, certifies that it is the assignee of the entire right, title, and interest in the above application by virtue of:

A chain of title from the inventors of the patent application identified above, to the current assignee as shown below:

1. From the Inventors to Isotechnika Inc. The document was recorded in the U.S. Patent and Trademark Office at Reel 012977, Frame 0548.
2. From Isotechnika Inc. to Isotechnika International Inc. The document was recorded in the U.S. Patent and Trademark Office at Reel 014317, Frame 0208.

The undersigned has reviewed all of the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above identified application subsequent to the expiration date of U.S. Patent No. 6,710,053, whereby the patent granted on this application and U.S. Patent No. 6,710,053 will expire on the same day, provided that any patent granted on the

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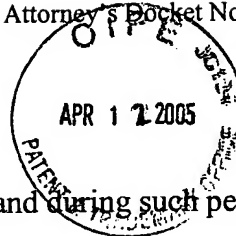
April 12, 2005

Date of Deposit

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Filed : January 9, 2004  
Page : 2 of 2



Attorney's Docket No.: 16592-012004 / 2424



above-identified application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,710,053.

The assignee identified above does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,710,053 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent No. 6,710,053.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

Enclosed is a check for \$65 for the required fee pursuant to 37 CFR §1.20(d).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

ISOTECHNIKA INTERNATIONAL INC.

Date: \_\_\_\_\_

4/8/05

Name: \_\_\_\_\_

Title: EXECUTIVE VICE PRESIDENT

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